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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

7 SERGEY KISLYANKA, *et al.*,
8 Plaintiffs,
9 v.
10 CLEAR RECON CORP., *et al.*,
11 Defendants.
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NO. C19-0673RSL

ORDER DENYING MOTION FOR
RECONSIDERATION


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14 On October 2, 2019, the Court granted Wells Fargo's motion to dismiss. Dkt. # 15.
15 Plaintiffs filed a timely motion for reconsideration in which they argue that the Court manifestly
16 erred when it found that the original lender, World Savings Bank, changed its name to Wachovia
17 Mortgage and when it gave undue weight to distinguishable authority. Motions for
18 reconsideration are disfavored in this district and will be granted only upon a "showing of
19 manifest error in the prior ruling" or "new facts or legal authority which could not have been
20 brought to [the Court's] attention earlier with reasonable diligence." LCR 7(h)(1). Plaintiffs have
21 not met their burden. Their criticisms do not invalidate or otherwise call into question the
22 Court's legal conclusions, namely that (1) Wells Fargo is entitled to enforce the Note because (a)
23 the Note is bearer paper held by Wells Fargo and (b) Wells Fargo is the legal successor to the
24 original lender and (2) securitization of a mortgage does not nullify the underlying debt
25 obligation or the holder's right to enforce it.
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28 ORDER DENYING MOTION
FOR RECONSIDERATION - 1

1 Plaintiffs also argue that they should be given leave to amend their claims against Wells
2 Fargo. As the Court previously stated, although the claims against Wells Fargo have been
3 dismissed, this action continues as to Clear Recon Corp. In this context, leave to amend will not
4 be blindly granted. If plaintiffs believe they can, consistent with their Rule 11 obligations,
5 amend the complaint to remedy the pleading and legal deficiencies that doomed their claims
6 against Wells Fargo, they may file a motion to amend and attach a proposed pleading for the
7 Court's (and defendants') consideration as required by LCR 15.
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10 For all of the foregoing reasons, plaintiffs' motion for reconsideration (Dkt. # 17) is
11 DENIED.
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13 Dated this 30th day of October, 2019.

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15 Robert S. Lasnik
16 United States District Judge
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